

Vendors,

Below are some additional questions received concerning the DSETS RFP since release of the final RFP on 24 Feb 97. In addition to the questions below, I have received several inquiries as to what date Volume I is due (i.e. 15 calendar days vs. 15 work days). The answer is 15 calendar days or 11 March 1997. Your cooperation in submitting these volumes is appreciated as it will aid in shortening the evaluation period of this program and facilitate an earlier award date. Please pay particular attention to question 7 as I need a response from you on that issue. Also, an Amendment 0001 will be issued shortly to clarify parts of the solicitation and update any omitted or dated clauses discovered in the DLA headquarters review process. However, these will not delay the milestones published for this program.

Kevin P. Conneen
Contracting Officer

1. Reference Section J, Attachment B, introductory paragraph. The government has added the note that allows two additional years of specialized and general experience to be substituted for the "...degree requirements." Given the location of this note it may be read by offerors to mean that two additional years of specialized and general experience (often the same additional years of experience will meet both requirements) may be substituted for any and all degree requirements for any number of incumbents for any position. This may not address the Government's actual needs and may lead offerors to respond to competitive pressures by bidding a rate structure focused largely on non-degree holding personnel. Contractors and the Government have successfully worked together in the past by setting labor category requirements that include degree requirements and represent the typical incumbent desired, but still leave open the opportunity for controlled numbers of appropriately experienced non-degree holding personnel to participate through the approval of waivers for specified candidates to work in specified roles on specified delivery orders. Recommend that the Government delete this note, and indicate that waivers of category requirements will be accepted with delivery order proposals and evaluated on a case by case basis given the individual proposed, the role proposed for that individual, and the rest of the delivery order staff proposed.

The Government believes the note allows us to best balance the tradeoffs associated with education and experience. In a solicitation that is relying heavily on past experience, this option allows contractors to offer the Government the best qualified individuals to support our Agency and recognizes that there are a multitude of individuals with years of experience who haven't finished their degree requirements.

2. Reference Section L17.1.1. May the offeror slightly modify the 19 item format shown in this section to accomplish the following: 1) segregate all contract level information together so that it can be provided once for all delivery orders submitted from a single contract, 2) segregate together all entries that pertain to each individual delivery order to minimize possibilities for confusion. This suggestion assumes that all required data items will be

clearly provided in each project summary, either once at the contract level for all subordinate delivery orders, or once within the scope of an individual delivery order's information.

Yes, the ability to modify the Project Descriptions was inadvertently left out of the final RFP, this will be added in Amendment 0001. Contractors may modify the format of the project descriptions, however, all information required must be present and contractors are held to the 200 page limit.

3. Reference: Memorandum for DSETS Vendors and DSETS SOW-Background.

Question: The solicitation's acronym (DSETS) appears to be defined differently in the two references. The memorandum defines it as "DLA Software Engineering Technical Services" and the SOW defines it as "System Engineering Technical Services". Which is correct?

The SOW rules, it is the DLA Systems Engineering Technical Services.

4. Reference: Past Performance Project Description, Item 3.

Question: What information is sought in response to Item #? Is the primary performer consider a major contributor to the project (e.g., Chief Engineer, Operation Manager), or company, prime or subcontractor with the greatest portion of the statement of work?

The Primary Performer is the DSETS Prime or Subcontractor company that performed the work under the contract/order.

5. Reference Past Performance Project Description, Item 5.

Question: Because "major subcontractors" is not defined (i.e. identified by dollar value of their subcontract or responsibility for a deliverable,) we recommend this item be answered only if the contractor citing the project was the prime contractor on the contract to which the project belonged. Do you agree?

N/A is an appropriate answer for this item.

6. Reference L.17.1.1, Volume I, Section 1: Past Performance Project

Question: Offerors are to "provide information on contracts which provide the best evidence of its technical and managerial experience in the twelve DSETS task areas. "Past Performance Project Description Item 15 calls for "the task areas(s) in which this project was performed. (If Applicable)" Past Performance Project Description Item 16 call for "the DLA AIS under which this project was performed. (If applicable)" Is our assumption correct that the criteria for past performance citations is to have technical and managerial experience in the twelve DSETS task areas and/or technical and managerial experience in seven of the twelve DLA AISs.

The purpose of the Past Performance Project Descriptions and evaluation is to allow the Government to ascertain how well the contractor meets the minimum evaluation criteria of

Section M6.2.2.1(a).

7. Reference: DSETS Draft RFP, Section L.17.3 Volume III--Price Proposal, Sub-Section (f)

Comment/Recommendation: All Offerors will bid some labor categories as not exempt from the FAIR Labor Standards Act. These “non-exempt” personnel, by definition, may not work uncompensated overtime, nor can they be assigned a standard work week of more than 40 hours without payment for the hours worked over 40. These non-exempt personnel will be bid by all offerors at rates that reflect a consistent assumption of a 40 hour per week and thus the bid rate per hour should be directly comparable across offerors. It is “exempt” personnel rates that offer the potential for offerors to be evaluated on an uneven playing field. This lack of equality could result from various offerors’ assumptions as to how many hours each employee will work as uncompensated overtime and/or the use of “standard work weeks” of greater than 40 hours. For example, it is likely some offerors will base their proposals on the assumption that their employees will be required to work up to 40% or more hours per week (a 56-hour “standard work week” vs a 40 hour “standard work week) We believe excessive use of uncompensated overtime will impede an offeror in attracting and retaining qualified personnel, promote inequities between exempt and non-exempt individuals, and contribute to decreased morale and productivity for all program employees. If a substantial difference exists between the value to the Government of the various offerors’ ”exempt” employee labor hour rates, some mechanism is required to ensure a common basis for comparison. We believe the most effective way to ensure an equitable basis for evaluating bids would be for the Government to require all Offerors to provide for evaluation purposes only, labor rates for exempt personnel calculated on a 40 hour week. This is in consonance with recent similar DOD solicitations. Draft RFP F19628-95-R-0037 (Management Information Systems Technical Support) issued by the Air Force Electronic Systems Center, Hanscom AFB, MA, and Solicitation DCA200-95-R-0063 (DEIS II) issued by DISA/DITCO/PAD, Falls Church, VA. In both instances, the procuring agency specified an approach to “uncompensated overtime” consistent in every respect to the solution we offer below.

Recommended Solution:

Replace the existing language in Section L.17.3(f) with:

(f) Use of Uncompensated Overtime

(I) Proposed labor rates shall represent Fair Labor Standards Act (FLSA) exempt personnel calculated on a 40 hour work week.

(ii) The Government will evaluate the cost proposal based on 40-hour work week. The following certification shall be submitted as part of the Cost Volume and shall be signed by an authorized official:

“All contract labor rates in this cost proposal were developed based on a 40-hour work week.”

Date

Name and Title

Official Signature

This certification shall be dated and the signing official (identified by name and title) shall be duly authorized to bind the contractor.

The Government is considering implementing this requirement. However, before doing so I would like to have contractors comment on the effects of this change. Please E-Mail me at kevin_conneen@hq.dla.mil by close of business Monday, 3 March 1997. I will issue amendment 0001 on Tuesday 4 March, 1997 which will include the Government's decision on this issue. Close of Business is defined as 4:30 PM, EST.

8. Section K, Paragraph K.10(a)(2)

Section L, Paragraph 10 (a)(i)

Section K cites a size standard of \$14.5 million. However, Section L cites a more current size standard of \$18 million. May Offerors make corrections to Section K when completing the certifications to reflect the more current size standard?

Yes

9. Are we correct in our assumption that the Government responses to the draft RFP question, issued February 5th and the further clarifications provided at the Pre-Solicitation conference held February 7th, apply to this solicitation, regardless of whether or not they appear in the RFP? For example, in the response to question 56, the Government stated that subcontractors would be required to submit a Compensation for Professional Employees Plan but this requirement is not cited in the RFP. We assume this is still required.

Your assumption is correct, many answers given to questions were considered clarifications of the requirements. Where an answer did not change a requirement, it was not incorporated into the solicitation. However, Amendment 0001 will state that the compensation plan is required from subcontractors.